

April 23, 1975

LB588

SENATOR WARNER: To ask the Chair a procedural question. The procedural question as I understand the rule, I think that you are correct that when a bill is to have a reconsideration for the purposes of attaching the Emergency Clause that it requires a 2/3 vote to do so. My procedural question is this. Since 588, since it has now been amended it is no longer the bill that was passed on Final Reading for reconsideration. If an amendment at this point is not on the same basis as the bill would have been had it come up on General File in the normal process since we are not putting the emergency clause on the same bill.

PRESIDENT: You may be right on that. The question relates to a dialogue that Senator Marsh and the Chair had at the time we were voting to reconsider it. In order to be consistent with that I had to rule this way and now its on appeal. That should clear up the matter. Senator Barnett for what purpose do you rise?

SENATOR BARNETT: To ask a question of the Chair. Beings that you didn't tell me anything, or I didn't ask you anything about moving it back for that reconsideration, could I move it back for an Emergency Clause, would it be any different?

PRESIDENT: I don't understand the question.

SENATOR BARNETT: Could I make the motion to return it to Select File for the Emergency Clause?

PRESIDENT: It has already been done and it has been appealed and I think that I know what the out-come is. But I think that this clears the record a because there were statements made here and now the whole body agrees with it and I think that we will be in better shape, so Senator Duis, for what purpose do you rise.

SENATOR DUIS: Sir I was merely going to assist here but if you want to go ahead with this course....I was going to make a motion to reconsider which being on the prevailing side would have cleared the entire, but go ahead with your appeal.

PRESIDENT: We don't need that. We have an appeal on my ruling here which would take care of it. The question is shall the Chair be sustained. Record.

CLERK: 1 aye, 25 nays and 23 not voting.

PRESIDENT: Chair is not sustained. Senator Marsh.

SENATOR MARSH: Mr. President, just so I know, at this stage of the game, do I need more, since it is not the bill that we started with....

PRESIDENT: We are on Select File now.

SEN. MARSH: Thank you. I move that we adopt the Emergency Clause.